HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8557 OF 2005.

Guna Sadu Pardale. ..Petitioner.

Versus.

Tukaram Guna Badambe & Ors. ..Respondents.

Shri. S.S.Redekar for the Petitioners.

CORAM: S.B.MHASE,J.

DATE : MARCH 8, 2006.

P.C.

1. Heard. This petition pertains to the mutation entry No. 1727. This mutation entry is effected on 11.12.1989 and had been certified on 21st June 1990. This petition seeks the correction of the error in the record of rights. Learned counsel appearing on behalf of the petitioner submits that the name of the petitioner is appearing in the cultivation column since last 42-45 years as owner. However, name of Tukaram Guna Badambe and Ravindra Hari Badambe, being minor through natural guardian his mother Laxmi Hari Badambe, are erroneously appearing in the record of rights. Therefore, said Guna had filed an application. Thus, from this entry it appears that the names of the respondents are in occupancy column as owner of the said property and petitioner desires to

delete their name claiming title to the said property. This entry itself speaks that the correction is desired after 45 years. The respondents are objecting to the said mutation entry. Under these circumstances, the dispute between the parties is civil dispute and the authorities have rightly not effected the said mutation by allowing the subsequent appeals filed by the respondents. I do not find any substance in this petition. It is accordingly rejected. Petitioner is at liberty to file appropriate proceedings for getting declaration of title in his favour, if permissible under the law and if law of limitation permits.

Petition is disposed of with this liberty.

(S.B.MHASE, J.)